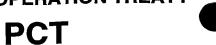
PATENT COOPERATION TREATY

(PCT Article 36 and Rule 70)





REC'D 11 MAY 2004

5)					WIPO PCT				
Applicant		nt's file reference	FOR FURTHER AC	FION See Notification	n of Transmittal of International amination Report (Form PCT/IPEA/416)				
			Laboration of Films state (d	ov/month/year)	Priority date (day/month/year)				
International application No. PCT/BR 03/00010			International filing date (di 28.01.2003	аулпонивуват)	28.01.2002				
Internatio	nal Pater	nt Classification (IPC) or be	th national classification an	id IPC					
	F25D17/06								
Applicant									
MULTIE	MULTIBRAS S.A. ELETRODOMESTICOS et al								
1. Th	is intern	ational preliminary exa	mination report has been	prepared by this Inte	ernational Preliminary Examining				
Au	thority a	and is transmitted to the	applicant according to A	Article 36.					
2. Th	is REP	ORT consists of a total	of 5 sheets, including thi	s cover sheet.					
					to a state and he drawings which have				
	hoo	amonded and are the	hasis for this report and/	or sheets containing i	ion, claims and/or drawings which have rectifications made before this Authority				
	(see	Rule 70.16 and Sectio	n 607 of the Administration	ve Instructions under	the PCT).				
Th	nese anı	nexes consist of a total	of sheets.		·				
					<u> </u>				
	•		A Maria A Maria A Maria A Maria						
3. Th	nis repo	rt contains indications re	elating to the following ite	ems:					
1	\boxtimes	Basis of the opinion							
l ii		Priority			No. 1. A. L. Carlos Washington				
111				ovelty, inventive step	and industrial applicability				
IV		Lack of unity of inven	tion	the command to make the f	enventive etce or industrial applicability				
V	Ø	Reasoned statement citations and explana	under Hule 66.2(a)(ii) wi tions supporting such sta	in regard to noveity, i itement	nventive step or industrial applicability;				
V	ı 🗆	Certain documents ci							
V	II 🗆	Certain defects in the	international application	,					
V	III 🗆	Certain observations	on the international appl	ication					
		•							
L									
Date of	submissi	on of the demand		Date of completion of	this report				
				11.05.2004					
06.06.	2003			11.05.2004					
Name a	nd mailin	g address of the internation	nal	Authorized Officer	Author Polentes.				
preliminary examining authority: European Patent Office - P.B. 5818 Patentlaan 2									
	S) NI	2280 HV Rijswijk - Pays sl. +31 70 340 - 2040 Tx: 3	Bas	Yousufi, S					
<u> </u>	Fe	91. +31 70 340 - 2040 1X: 3 ax: +31 70 340 - 3016	п оот өрөтіі	Telephone No. +31 7	0 340-2823				

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/BR 03/00010

ı.	, Basi	s of	the	repor	t
----	--------	------	-----	-------	---

1. With regard to the **elements** of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)):

	Desc	cription, Pages					
	1-11		as originally filed				
	Clai	ms, Numbers					
	1-13		as originally filed				
	Drav	wings, Sheets					
	1/5-5	5/5	as originally filed				
2.	With lang	regard to the langua uage in which the inte	ge, all the elements marked above were available or furnished to this Authority in the ernational application was filed, unless otherwise indicated under this item.				
	The	se elements were ava	ailable or furnished to this Authority in the following language: , which is:				
		-	nslation furnished for the purposes of the international search (under Rule 23.1(b)).				
		the language of publi	cation of the international application (under Rule 48.3(b)).				
		the language of a train Rule 55.2 and/or 55.3	nslation furnished for the purposes of international preliminary examination (under 3).				
3.	With inte	n regard to any nucle mational preliminary e	otide and/or amino acid sequence disclosed in the international application, the examination was carried out on the basis of the sequence listing:				
		contained in the inter	rnational application in written form.				
		filed together with the	e international application in computer readable form.				
		furnished subsequen	ntly to this Authority in written form.				
		furnished subsequently to this Authority in computer readable form.					
		in the international a	he subsequently furnished written sequence listing does not go beyond the disclosure pplication as filed has been furnished.				
		The statement that the listing has been furnitude.	he information recorded in computer readable form is identical to the written sequence ished.				
4.	The	amendments have re	esulted in the cancellation of:				
		the description,	pages:				
		the claims,	Nos.:				
		the drawings,	sheets:				

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/BR 03/00010

This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

- 6. Additional observations, if necessary:
- V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N)

Yes: Claims 12, 13

No: Claims 1-11

Inventive step (IS) Yes: Claims

No: Claims 1-13

Industrial applicability (IA) Yes: Claims 1-13

No: Claims

2. Citations and explanations

see separate sheet





Re Item V

INTERNATIONAL PRELIMINARY

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

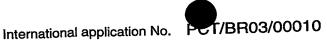
With respect to claim 1 AU-B-521 756 describes (see page 5, line 9-page 6, line ٦. 27):

An air duct system for a combined refrigerator of the forced air circulation type, with a freezing compartment (2) and a refrigerating compartment (4), which are superposed and separated by an intermediate wall (17), further having an air cooling compartment (11) lodging an evaporator (10) and a fan (12) and presenting at least one circulated air inlet (figure 1) and at least one refrigerated air outlet (figure 1) directed to the freezing compartment (2) and to the refrigerating compartment (4), a body (30) mounted into the interior of the intermediate wall (17) and defining a rear chamber (26) opened to the circulated air inlet (figure 1); a transversal through-duct (16) centrally provided in front of the rear chamber (26) and having an end maintained in fluid communication with the refrigerated air outlet (figure 1), and an opposite end opened to the inside of the refrigerating compartment (4); at least one first and one second return duct (15,20) each presenting a rear end (figure 1) opened to the rear chamber (26) and a front end (14,19) opened to the interior of the freezing compartment (2) and of the refrigerating compartment (4), respectively, the rear ends (figure 1) of the first and the second return ducts (15, 20) being positioned on opposite sides of the transversal through-duct (16, figure 2).

Although not explicitly described in the application, rear chamber (11) has the function of a water funnel which gathers the defrost water from the evaporator (5) and channels it through an opening (figure 5 of application) into a tube (figure 1 of application) to the outside of the refrigerator. Reference number 26 of AU-B-521 756 has the same function and is therefore considered to be the rear chamber.

Although not explicitly disclosed in AU-B-521 756 the return ducts (15, 20) open to the rear chamber (26), see figures 1 and figure 2. In figure 2 the cross-section of body (30) is elevated around ducts 15 such that the upper portion of duct 20 (fig. 2 white squares diagonally below return ducts 15) is at the same level as the lower part of duct 15. A partially cut top perspective view of body (30), similar to figure 4 of the application, would show that both return ducts (15, 20) open to rear

INTERNATIONAL PRELIMINARY **EXAMINATION REPORT - SEPARATE SHEET**



chamber (26).

Therefore the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

- The additional features of claims 2-11 are also known from AU-B-521 756 (see 2a. the International Search Report). Therefore the subject-matter of claims 2-11 are not new and inventive in the sense of Articles 33(2) and 33(3) PCT.
- Dependent claims 12 and 13 do not contain any features which, in combination 2b. with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (33(2) PCT), as the feature of '...the body comprising a lower and an upper half, which are designed to be fitted into each other..' is merely one of several straightforward possibilities of designing such a body.
- Documents reflecting the prior art described on page 1, line 14-page 3, line 4 are 3. not identified in the description (Rule 5.1(a)(ii) PCT).